Notice of Allowability	Application No.	Applicant(s)	
	10/767,023	OEHRKE ET AL.	
	Examiner	Art Unit	
	Michael Y. Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Amendment filed March 16, 2007 and Interview conducted on May 18, 2007*.

2. ☒ The allowed claim(s) is/are *1,3-11,13-22,25-30,33-39,42,44-46,49,50,52 and 53 (renumbered 1-41)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *Attached* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mark C. Young (Reg. No. 48,670) on May 18, 2007.

3. The application has been amended as follows:

1. (Currently Amended) A method for sharing data between at least first and second redirection processors, at least said first redirection processor associated with an application server, the method comprising the steps of:

(a) collecting server statistics from the application server with said first redirection processor, wherein collecting server statistics comprises collecting Simple Network Management Protocol (SNMP) Management Information Base (MIB) information associated with data selected from the group of: availability, processor usage, data storage usage and combinations thereof; and

(b) sending information responsive to the server statistic from said first redirection processor to said second redirection processor, wherein said second

redirection processor is located at a geographically disparate location from said first redirection processor.

2. (Currently Cancelled)

11. (Currently Amended) A network for sharing load distribution data, the network comprising:

at least first and second application servers, the first and second application servers applying, in part, substantially the same application;

a first redirection processor operatively connected to the first and second application servers, the first redirection processor operable to collect server statistics from the first and second application servers, wherein the server statistics comprise Simple Network Management Protocol (SNMP) Management Information Base (MIB) information associated with data selected from the group of: availability, processor usage, data storage usage and combinations thereof;

a second redirection processor located at a geographically disparate location from the first redirection processor, said second redirection processor operatively connected to the first redirection processor; and

wherein the first redirection processor is operable to send information responsive to the server statistics to said second redirection processor.

12. (Currently Cancelled)

20. (Currently Amended) A data information network for providing network processing associated with a plurality of users, the network comprising:

(a) at least first and second processors at a substantially same geographic location applying substantially the same application and operating at substantially the same time;

(b) a first load processor operatively connected to the first and second processors;

(c) a second load processor located at a geographically disparate location from the first load processor, said second load processor operable to receive load information from the first load processor, wherein the load information comprises information from the first and second processors selected from the group of: availability, processor usage, data storage usage and combinations thereof and wherein the load information further comprises Management Information Base (MIB) data; and

(d) wherein the first load processor is operative to distribute requests from any one of the plurality of users received by the data information network to one of the first and second processors in response to said load information.

23. (Currently Cancelled)

24. (Currently Cancelled)

25. (Currently Amended) The network of Claim ~~23~~ 20 wherein the first and second load processors are operable to apply weighting factors to said load information; and wherein said distribution is responsive, in part, to said weighting factors

28. (Currently Amended) A method of providing Internet or Intranet processing and stored data access associated with a plurality of users in a data information network, the method comprising the steps of:

(a) applying substantially the same application associated with a plurality of users in at least first and second processors, the first and second processors located at a substantially the same geographic location;

(b) operating the first and second processors at substantially the same time;

(c) collecting load information from said first and second processors with a first load processor, wherein said load information comprises information selected from the group of: availability, processor usage, data storage usage and combinations thereof and wherein the load information further comprises Management Information Base (MIB) data;

(d) providing a second load processor located at a geographically disparate location from the first load processor, said second load processor operable to receive said load information from the first load processor; and

(e) distributing requests from any one of the plurality of users received by the data information network to one of the first and second processors in response to said load information residing on said first and second load processors.

31. (Currently Cancelled)

32. (Currently Cancelled)

33. (Currently Amended) The method of Claim ~~31~~ 28 wherein the step (e) comprises applying weighting factors to said load information.

38. (Currently Amended) A network architecture for redirecting network traffic, the architecture comprising:

(a) a plurality of geographically disparate address processors in a plurality of network traffic paths, wherein each of said address processors is operable to receive load information from any of said other address processors;

(b) a plurality of application servers operatively connected to the plurality of network traffic paths, the application servers applying, in part, substantially the same application, wherein the plurality of application servers comprise geographically disparate application servers; ~~and~~

(c) wherein the address processors direct network traffic to particular application servers in response to said load information;

(d) additional address processors associated with each geographically disparate application server, wherein each geographically disparate application server comprises

a plurality of additional application servers applying, in part, the substantially the same application; and

(f) wherein the additional address processors direct network traffic directed to the geographically disparate application servers to particular additional application servers in response to additional application server load information, wherein the additional application server load information comprises Management Information Base (MIB) data.

40. (Currently Cancelled)

41. (Currently Cancelled)

43. (Currently Cancelled)

44. (Currently Amended) The architecture of Claim ~~41~~ 38 wherein the load information is shared between plurality of address processors and the plurality of additional address processors by a means selected from the group of: means for querying an assigned neighbor address processor, means for querying an assigned additional address processor, means for broadcasting load information in a Transmission Control Protocol format, means for broadcasting load information in a User Datagram Protocol format, and combinations thereof

45. (Currently Amended) A method for redirecting network traffic in a network, the method comprising the steps of:

(a) routing at least first and second network traffic datagrams through at least first and second address processors, respectively, in at least first and second network traffic paths, respectively, wherein said second address processor is operable to receive load information from said first address processor and wherein said second address processor is located at a geographically disparate location from said first address processor;

(b) applying, in part, substantially the same application with at least first and second application servers, each of the first and second application servers operatively connected to the first and second network traffic paths, wherein the first and second application servers comprise geographically disparate application servers; ~~and~~

(c) directing with the first and second address processors the first and second network traffic datagrams to one of the first and second application servers in response to said load information;

(d) providing an additional address processors associated with each geographically disparate application server, wherein the first and second application server each comprise a plurality of additional application servers applying, in part, the substantially the same application; and

(e) directing any of the at least the first and second IP traffic datagram directed to each of the geographically disparate applications servers to a particular one of the associated additional application servers in response to additional application server

load information, wherein the additional application server load information comprises Management Information Base (MIB) data.

47. (Currently Cancelled)

48. (Currently Cancelled)

51. (Currently Cancelled)

52. (Currently Amended) The method of Claim ~~51~~ 45 wherein said MIB comprises data selected from the group of: availability, processor usage, data storage usage and combinations thereof.

53. (Currently Amended) The method of Claim ~~48~~ 45 further comprising the step (f) of sharing load information between the first, second and additional address processors by a method selected from the group of:

(f1) querying an assigned neighbor address processor;

(f2) querying an assigned additional address processor;

(f3) broadcasting load information in a Transmission Control Protocol format;

(f4) broadcasting load information in a User Datagram Protocol format; and

(f5) combinations thereof.

Allowable Subject Matter

4 Claims 1, 3-11, 13-22, 25-30, 33-39, 42, 44-46, 49, 50, 52 and 53 are allowable over prior art of record in light of applicants' arguments presented in Amendment filed March 16, 2007 and Interview conducted on May 18, 2007.

5 The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, teach, or suggest neither singly nor in combination the claimed limitation of "collecting server statistics from the application server with said first redirection processor, wherein collecting server statistics comprises collecting Simple Network Management Protocol (SNMP) Management Information Base (MIB) information associated with data selected from the group of: availability, processor usage, data storage usage and combinations thereof" as recited in independent claims 1 and 11.

The prior art of record does not disclose, teach, or suggest neither singly nor in combination the claimed limitation of "(c) a second load processor located at a geographically disparate location from the first load processor, said second load processor operable to receive load information from the first load processor, wherein the load information comprises information from the first and second processors selected from the group of: availability, processor usage, data storage usage and combinations thereof and wherein the load information further comprises Management Information

Base (MIB) data" as recited in independent claim 20 and similarly recited in independent claim 28.

The prior art of record does not disclose, teach, or suggest neither singly nor in combination the claimed limitation of "(d) additional address processors associated with each geographically disparate application server, wherein each geographically disparate application server comprises a plurality of additional application servers applying, in part, the substantially the same application; and (f) wherein the additional address processors direct network traffic directed to the geographically disparate application servers to particular additional application servers in response to additional application server load information, wherein the additional application server load information comprises Management Information Base (MIB) data" as recited in independent claim 38 and similarly recited in independent claim 45.

6 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MICHAEL WON
PRIMARY EXAMINER

May 21, 2007